

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

## VERRAGIO, LTD

Plaintiff,

V.

## KIM INTERNATIONAL,

Defendant.

) Case No.: CV 15-3218-DMG (MRWx)

CONSENT JUDGMENT AND  
PERMANENT INJUNCTION  
AGAINST KIM INTERNATIONAL  
[34]

Defendant. }  
,

Plaintiff Verragio, Ltd. (“Verragio”), and Defendant Kim International Manufacturing L.P. erroneously sued as Kim International (“Kim”), have entered into a confidential settlement agreement to resolve this matter. As part of this agreement, Verragio and Kim agree to the entry of this Consent Judgment and Permanent Injunction against Kim.

Therefore, it is hereby ORDERED, ADJUDGED and DECREED as follows:

1. This case is a civil action arising under the Copyright Act, 17 U.S.C. §§ 101, *et seq.* This Court has jurisdiction over these claims under 17 U.S.C. § 501, and 28 U.S.C. §§ 1331 and 1338(a).

2. Venue is proper in this Court pursuant to 28 U.S.C. §§ 1391(b) and 1400(a).

3. Verragio is a New York corporation with its principal place of business at 330 Fifth Avenue, 5th Floor, New York, NY 10001.

1 4. Kim has its principal place of business at 14840 Landmark Blvd., Dallas, TX  
2 75254.

3 5. At all relevant times, Verragio complied in all respects with the Copyright  
4 Acts, 17 U.S.C. § 101 *et seq.*, and secured the exclusive rights and privileges in and to the  
5 copyrights of Insignia-7003 (VAu 996-688), Insignia-7047 (VA 1-798-116), and  
6 Venetian-5001R (VAu 1-049-916) (collectively the “Verragio Copyrights”). Copies of  
7 the Certificates of Registration from the Register of Copyrights for the Verragio  
8 Copyrights, as well as the deposit copies of the Verragio Copyrights, are attached to this  
9 Consent Judgment as Exhibit A.

10 6. The Verragio Copyrights are valid, strong and enforceable.

11 7. Kim and Kim’s officers, directors, employees, representatives, agents,  
12 successors-in-interest, parent corporations, subsidiary corporations, legal entities or  
13 persons controlled by Kim, and all other persons who are in active concert or  
14 participation with them, are hereby permanently enjoined from:

15 a. Copying or making unauthorized use of, or engaging in any  
16 unauthorized distribution of products protected by the Verragio Copyrights or rings  
17 that are substantially similar to the Verragio Copyrights;

18 b. Selling, distributing, advertising, manufacturing or purchasing Kim  
19 Ring Style Nos. 115076, 115077, 115078, 115079, 115081, 115082, 115172,  
20 115177, 115188, 115189, 116017, 117482, 117490, 117491, 117540, 117541,  
21 117542, 117543, 117544, 117545, 117660, 117803, 117804, 117805, 118267,  
22 118268, 118269, 118270 and 118271 (collectively, the “Kim Rings”) or any rings  
23 substantially similar to the Kim Rings; and

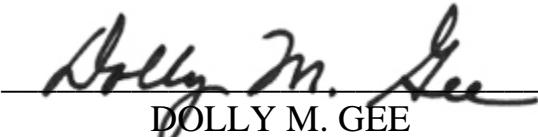
24 c. Knowingly assisting, aiding or abetting any other person or business  
25 entity in engaging in or performing any of the activities referred to in  
26 subparagraphs 7(a) through 7(b) above.

27 8. Within thirty days of the date of this Order, Kim shall destroy all of the Kim  
28 Rings in its possession.

1       9. The parties waive notice of entry of this Consent Judgment and Permanent  
2 Injunction and the right to appeal therefrom or to test its validity and consent to its  
3 immediate entry in accordance with its terms. This Court expressly retains jurisdiction  
4 over this matter to enforce, implement or construe this Consent Judgment and Permanent  
5 Injunction.

6 IT IS SO ORDERED.

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8 DATED: April 18, 2016

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DOLLY M. GEE

UNITED STATES DISTRICT JUDGE

## **EXHIBIT A**

## Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, *United States Code*, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Register of Copyrights, United States of America

Registration Number:

VAu 996-688

Effective date of  
registration:

June 9, 2008

### Title

Title of Work: INS-7003

Nature of Work: Jewelry Design

### Completion/ Publication

Year of Completion: 2008

### Author

Author: Barry Nisguretsky

Author Created: Jewelry design

Work made for hire: No

Citizen of: United States

Year Born: 1966

Anonymous: No

Pseudonymous: No

### Copyright claimant

Copyright Claimant: Barry Nisguretsky

c/o Verragio, 132 W. 36th St, 8th Floor, New York, NY 10018

### Limitation of copyright claim

Previously registered: No

### Certification

Name: Barry Nisguretsky

Date: June 12, 2008



## Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, *United States Code*, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Register of Copyrights, United States of America

Registration Number  
VA 1-798-116

Effective date of  
registration:  
January 3, 2012

### Title

Title of Work: INS-7047

### Completion/Publication

Year of Completion: 2009

Date of 1st Publication: January 4, 2010

Nation of 1st Publication: United States

### Author

Author: Barry Nisguretsky

Author Created: jewelry design

Citizen of: United States

Domiciled in: United States

### Copyright claimant

Copyright Claimant: Barry Nisguretsky

132 West 36th street, New York

### Certification

Name: Barry Nisguretsky

Date: January 3, 2012



# Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, *United States Code*, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

A handwritten signature in black ink that reads "Maria A. Pallante".

Acting Register of Copyrights, United States of America

Registration Number

VAu 1-049-916

Effective date of  
registration:

December 8, 2010

## Title

Title of Work: AFN-5001R

## Completion/Publication

Year of Completion: 2010

## Author

Author: Barry Nisguretsky

Author Created: jewelry design

Work made for hire: No

Citizen of: United States

Domiciled in: United States

Year Born: 1966

## Copyright claimant

Copyright Claimant: Barry Nisguretsky

132 west 36th street, 8th floor, new york, NY, 10018, United States

## Rights and Permissions

Organization Name: Verragio

Name: Barry Nisguretsky

Email: verragio@gmail.com

Telephone: 212-868-8181

Address: 132 west 36th street

8th floor

new york, NY 10018 United States

## Certification

Name: Barry Nisguretsky

Date: November 30, 2010

